

UNITED STATES DISTRICT COURT  
IN THE SOUTHERN DISTRICT OF TEXAS  
CORPUS CHRISTI DIVISION

**DAVID WAYNE FORD, ET AL.,**  
Plaintiffs

v.

**NUECES COUNTY JAIL, ET AL.,**  
Defendants

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**C.A. No. C-07-107**

**ORDER GRANTING DAVID WAYNE FORD'S MOTION FOR VOLUNTARY  
DISMISSAL, DENYING PLAINTIFFS' MOTION FOR TEMPORARY RESTRAINING  
ORDER, AND DISMISSING CLAIMS WITH PREJUDICE**

On March 30, 2007, the United States Magistrate Judge filed a Memorandum and Recommendation in this case (D.E. 10). The Court mailed a copy of the memorandum to Plaintiffs' addresses on file. The mail was returned undeliverable as to plaintiffs Kent Young, Patrick Reid, John Setliff, and Juan Valdez because they no longer live at their listed addresses. A pro se litigant is responsible for keeping the clerk advised in writing of his or her current address. S.D. Tex. R. 83.4. Plaintiffs have not advised the clerk accordingly. The Court regards such omission as Plaintiffs' agreement with and acceptance of the Magistrate Judge's findings.

Plaintiffs David Wayne Ford and Joe G. Figueroa did receive a copy of the memorandum. They did not file objections. The Court regards such omission as Plaintiffs' agreement with and acceptance of the Magistrate Judge's findings. Having reviewed the pleadings on file, the Court finds no clear error in the Magistrate Judge's memorandum.

*Guillory v. PPG Industries, Inc.*, 434 F.3d 303, 308 (5th Cir. 2005) (citing *Douglass v. United Services Automobile Ass'n*, 79 F.3d 1415, 1420 (5th Cir. 1996)). The Court hereby adopts the findings and conclusions of the Magistrate Judge.

Therefore, David Wayne Ford's motion for voluntary dismissal is GRANTED without prejudice (D.E. 9). Plaintiffs' motion for a temporary restraining order is DENIED (D.E. 1). Plaintiffs' claims are DISMISSED with prejudice.

ORDERED this 24 day of July, 2007.

  
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HAYDEN HEAD  
CHIEF JUDGE